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Sheet

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of

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Application Number	10/591,914
Filing Date	September 8, 2006
First Named Inventor	Morrisette et al.
Group Art Unit	1612
Examiner Name	Sznajdman, Marcos L.
Attorney Docket Number	21548YP

Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
		7,459,452	B2	Di Francesco et al. (equiv. to WO 03/35076)	12/02/2008
		7,435,734	B2	Crescenzi et al. (equiv. to WO 03/35077)	10/14/2008
		2008/0009490	A1	Williams et al.	01/10/2008
		7,279,487	B2	Egbertson et al. (equiv. to WO 03/62204)	10/09/2007
		2007/0179196	A1	Han et al. (equiv. to WO 05/087767)	08/02/2007
		2007/0161639	A1	Jones et al.	07/12/2007
		7,232,819	B2	De Francesco et al (equiv. to WO 03/35076)	06/19/2007
		7,217,713	B2	Crescenzi et al. (equiv. to WO 03/35077)	05/15/2007
		7,211,572	B2	Miyazaki et al.	05/01/2007
		7,169,680	B2	Crescenzi et al. (equiv. to WO 03/35077)	01/30/2007
		7,109,186)	B2	Walker et al. (equiv. to WO 04/004657	09/19/2007
		6,921,759	B2	Anthony et al. (equiv. to US 2003/0055071)	07/26/2005
		6,919,351	B2	Anthony et al. (equiv. to WO 02/30426)	07/19/2005
		2005/0010048	A1	Zhuang et al. (equiv. to WO 02/36734)	01/13/2005
		6,841,558	B2	Anthony et al. (equiv. to WO 02/55079)	01/11/2005
		2003/0229079	A1	Payne et al. (equiv. to WO 01/00578)	12/11/2003

[illegible]

/Marcos Sznaidman/

04/16/2009

*Examiner: Initial reference considered, whether prior art or not, is in conformance with MPEP 609. One line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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STATEMENT BY APPLICANT

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COMPLETE IF KNOWN

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NON PATENT LITERATURE DOCUMENTS

Examiner
Initials*Cite
No.

Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.

Declaration of Interference No. 105,655 between (i) Jones et al., Serial No. 10/587,601, filed July 28, 2006, Attorney Docket No. ITR0068YP and (ii) Miyazaki et al., US 7,211,572

Selected papers from Interference No. 105,655 between USSN 10/587,601 (Merck) and US 7,211,572 (Japan Tobacco) - Merck Amended Miscellaneous Motion 1 dated Nov. 10, 2008; Interlocutory Order dated Nov. 18, 2008, Granting Merck's Unopposed Revised Miscellaneous Motion 1; Redeclaration of Interference dated Nov. 18, 2008; Judgement dated Dec. 5, 2008

Preliminary Amendments filed November 7, 2007 and March 24, 2008 in Serial No. 11/920,032 (unpublished national phase application of WO 2006/121831)

Examiner
Signature

/Marcos Sznaidman/

Date
Considered

04/16/2009

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